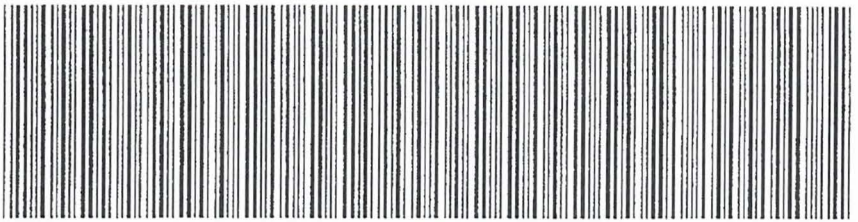


**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.


2017080900882002001ED293
RECORDING AND ENDORSEMENT COVER PAGE
PAGE 1 OF 5
Document ID: 2017080900882002
Document Date: 08-08-2017
Preparation Date: 08-09-2017
Document Type: SUNDRY MISCELLANEOUS
Document Page Count: 4
PRESENTER:

MADISON TITLE AGENCY, LLC
(PICK-UP-SDS)
1125 OCEAN AVENUE
LAKEWOOD, NJ 08701
212-808-9400
BAILAB@MADISONTITLE.COM

RETURN TO:

ALAN WAINTRAUB PLLC
97-17 64TH ROAD, 3RD FLOOR
REGO PARK, NY 11374
mtany-122105 CS

Borough		Block	Lot	PROPERTY DATA	
				Unit	Address
BROOKLYN		1769	44	Entire Lot	120 MARCUS GARVEY AVENUE
Property Type: 1-3 FAMILY WITH STORE / OFFICE					

CROSS REFERENCE DATA

CRFN _____ or DocumentID _____ or _____ Year _____ Reel _____ Page _____ or File Number _____

PARTIES
PARTY 1:

120 MARCUS GARVEY LLC
ALAN WAINTRAUB PLLC, 97-17 64TH ROAD, 3RD
FLOOR
REGO PARK, NY 11374

FEES AND TAXES
Mortgage :

Mortgage Amount: \$ 0.00

Taxable Mortgage Amount: \$ 0.00

Exemption:

TAXES: County (Basic): \$ 0.00

City (Additional): \$ 0.00

Spec (Additional): \$ 0.00

TASF: \$ 0.00

MTA: \$ 0.00

NYCTA: \$ 0.00

Additional MRT: \$ 0.00

TOTAL: \$ 0.00

Recording Fee: \$ 57.00

Affidavit Fee: \$ 0.00

Filing Fee:

\$ 0.00

NYC Real Property Transfer Tax:

\$ 0.00

NYS Real Estate Transfer Tax:

\$ 0.00

**RECORDED OR FILED IN THE OFFICE
OF THE CITY REGISTER OF THE**
CITY OF NEW YORK

Recorded/Filed 08-11-2017 12:13

City Register File No.(CRFN):

2017000299634



Annita M. Hill

City Register Official Signature

NEGATIVE COVENANT

THIS NEGATIVE COVENANT (the "**Negative Covenant**") made this 8th day of August, 2017, by **120 MARCUS GARVEY LLC**, a New York limited liability company having an address at c/o Law Offices of Alan J. Waintraub PLLC, 97-17 64th Road, 3rd Floor, Rego Park, New York 11374 (the "**Owner**").

WHEREAS, Owner is the owner of fee simple title to the land and improvements thereon, located in the County of Kings, City and State of New York, known by the street address of 120 Marcus Garvey Avenue, Brooklyn, New York 11206 (Block 1769, Lot 44), and as more particularly described on Schedule A attached hereto (the "**Property**");

WHEREAS, Yehuda D. Povarsky is a managing manager of Owner; and

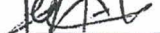
WHEREAS, pursuant to the Operating Agreement of the Owner, the Owner shall not sell or otherwise encumber the Property unless such deed and/or encumbrance is executed by Yehuda D. Povarsky.

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, the undersigned parties hereby agree as follows:

1. Owner's Negative Covenant. Owner shall not sell, convey, alienate, mortgage, encumber, pledge or otherwise transfer the Property or any part thereof, or permit the Property or any part thereof to be sold, conveyed, alienated, mortgaged, encumbered, pledged or otherwise transferred, whether directly, or indirectly, including, without limitation, transfers of interests in the Owner unless agreed upon, in writing, by Yehuda D. Povarsky or after a termination and release of this Negative Covenant is filed against the Property which is executed by Yehuda D. Povarsky (collectively, a "**Restricted Transfer**"). **Any Restricted Transfer shall be void *ab initio*.**
2. Owners warrant that it is executing this Negative Covenant freely and voluntarily, without duress, after consultation with independent counsel of their own selection.

OWNER:

120 MARCUS GARVEY LLC
a New York limited liability company

By: 
Name: Yehuda D. Povarsky
Title: Manager

STATE OF NEW YORK

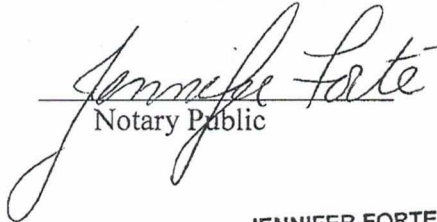
)

) ss:

COUNTY OF QUEENS

)

On the 8th day of August, 2017 before me, the undersigned, a Notary Public in and for said State, personally appeared, Yehuda D. Povarsky, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed this instrument.


Notary Public

JENNIFER FORTE
Notary Public, State of New York
No. 01FO6318503
Qualified in Nassau County
Commission Expires January 26, 2019

SCHEDULE A-PROPERTY DESCRIPTION

MILLENNIUM ABSTRACT CORP.

as Agent for
Stewart Title Insurance Company

Schedule A (Description)

Title Number: MA-26960-STE-K Amended July 10, 2014

All that certain plot, piece or parcel of land, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

BEGINNING at a point on the Westerly side of Sumner Avenue, AKA Marcus Garvey Blvd. distant 83.50 feet (84 feet deed) Southerly from the corner formed by the intersection of the Southerly side of Willoughby Avenue with the Westerly side of Sumner Avenue AKA Marcus Garvey Blvd.;

THENCE Westerly parallel with Willoughby Avenue, and part of the distance through a party wall, 80 feet;

THENCE Southerly parallel with Sumner Avenue, AKA Marcus Garvey Blvd. 16 feet 6 inches;

THENCE Easterly again parallel with Willoughby Avenue and part of the distance through a party wall, 80 feet to the Westerly side of Sumner Avenue AKA Marcus Garvey Blvd.;

THENCE Northerly along the Westerly side of Sumner Avenue AKA Marcus Garvey Blvd., 16 feet 6 inches to the point or place of BEGINNING.

*Measure
8/4/14
JG*

FOR CONVEYANCING ONLY:

TOGETHER with all the right, title and interest, if any of the party of the first part, of, in and to the any streets and roads abutting the above described premises.

Premises commonly known as 120 Marcus Garvey Boulevard Brooklyn, New York, Section Block 1769 and Lot 44.